

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

RICHARD MONTALVO-LEON, et al.,
Plaintiffs

v.

CIVIL NO. 05-1236(DRD)

**WYETH PHARMACEUTICAL
COMPANY, INC., et al.,**
Defendants

MOTION	ORDER
<p>Date Filed: 02/14/06 Docket #30 <input type="checkbox"/> Plaintiff <input checked="" type="checkbox"/> Defendant Title: Opposition to Emergency Motion Requesting Protective Order Pursuant to Fed.R.Civ.P. 26(c) and/or Motion for Reconsideration</p>	<p>DENIED. The Court emphasizes that absent an express waiver of Rule 30(d)(2), Fed.R.Civ.P. 28 U.S.C., merely scheduling two (2) calendar dates for deposition of a witness does not amount to presumably reaching an agreement to extend the duration of said deposition. Furthermore, the <i>Joint Discovery Conference Report</i> lacks any language ascertaining that plaintiff's deposition was to be extended beyond the time provided by Rule 30(d)(2). Finally, defendant's request for reconsideration also fails to point any good cause justifying an order providing additional time as needed nor the presence of such factors which may hinder defendant's rights should the additional time is not provided.</p> <p>Therefore, the Court upholds its previous ruling limiting plaintiff's deposition pursuant to Rule 30(d)(2).</p>

IT IS SO ORDERED.

In San Juan, Puerto Rico this 14th day of February 2006.

S/DANIEL R. DOMINGUEZ
DANIEL R. DOMINGUEZ
U.S. DISTRICT JUDGE